

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

YEHOSHUA SCHLUSSBERG,	:	Civil Action No.:
Plaintiff,	:	
-against-	:	<b>COMPLAINT FOR VIOLATIONS OF THE TELEPHONE CONSUMER PROTECTION ACT</b>
	:	
CENTRAL CREDIT SERVICES, LLC,	:	
	:	
Defendant(s).	:	

Plaintiff, YEHOSHUA SCHLUSSBERG ("Plaintiff"), by and through his attorneys, M. Harvey Rephen & Associates, P.C by Edward B. Geller, Esq., P.C., Of Counsel., as and for its Complaint against the Defendant, CENTRAL CREDIT SERVICES, LLC (hereinafter referred to as "Defendant(s)"), respectfully sets forth, complains and alleges, upon information and belief, the following:

**INTRODUCTION/PRELIMINARY STATEMENT**

1. Plaintiff brings this action on his own behalf for damages and declaratory and injunctive relief arising from the Defendant's violation(s) under Title 47 of the United States Code, §227 commonly known as the Telephone Consumer Protection Act (TCPA).

**PARTIES**

2. Plaintiff YEHOSHUA SCHLUSSBERG is a resident of the State of New Jersey, residing at 953 Princewood Avenue, Lakewood, New Jersey 08701.

3. Defendant CENTRAL CREDIT SERVICES, LLC is a limited liability corporation organized in Florida, with an office address at 9550 Regency Square Boulevard, Suite 500, Jacksonville, FL 32225.

#### **JURISDICTION AND VENUE**

4. The Court has jurisdiction over this matter pursuant to 28 USC §1331, as well as 15 USC §1692 et seq. and 28 U.S.C. §2201. If applicable, the Court also has pendent jurisdiction over the state law claims in this action pursuant to 28 U.S.C. §1367(a).

5. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(b)(2).

#### **FACTUAL ALLEGATIONS**

6. Plaintiff repeats, reiterates and incorporates the allegations contained in paragraphs numbered "1" through "5" herein with the same force and effect as if the same were set forth at length herein.

7. On or about March 1, 2015, Plaintiff purchased a new cellular telephone with the number 732 604 1143.

8. Shortly thereafter, Defendant commenced placing telephone calls to Plaintiff's cellular telephone number at a rate of approximately forty (40) times per month and leaving voice mail messages.

9. Defendant's voice mail messages were pre-recorded and were seeking an individual whose name was unknown to Plaintiff.

10. Defendant's calls originated from numbers 603 766-8006, 973 755-6077, 973 755-6053, 973 755-6035, 973 755-6977, 973 755-6872 and 973 755-6861.

11. The nature of the calls with a recorded messages indicates that the calls were automatically dialed.

12. Said autodialed calls were made throughout July, August, September, October, November and December.

13. Defendant's autodialed calls amount to approximately two hundred (200) calls and said calls continue presently.

**FIRST CAUSE OF ACTION**  
***(Violations of the TCPA)***

14. Plaintiff repeats, reiterates and incorporates the allegations contained in paragraphs numbered "1" through "13" herein with the same force and effect as if the same were set forth at length herein.

15. According to the Telephone Consumer Protection Act 47 USC §227(b)(A)(iii) any person within the United States or any person outside the United States, if the recipient is within the United States, is prohibited from using any automatic telephone dialing system or an artificial or prerecorded voice to any telephone number assigned to a cellular telephone service or any service for which the called party is charged for the call.

16. With the autodialer calls to Plaintiff's telephone commencing on or about July 1, 2015 and continuing as of this writing at a rate of up to forty (40) times per month, the Defendant violated various provisions of the TCPA, including but not limited to 47 USC §227(b)(A)(iii).

17. As a result of Defendant's violations of the TCPA, Plaintiff has been damaged and is entitled to damages in accordance with the TCPA.

**DEMAND FOR TRIAL BY JURY**

18. Plaintiff hereby respectfully requests a trial by jury for all claims and issues in its Complaint to which it is or may be entitled to a jury trial.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff demands judgment from the Defendant as follows:

- A. For actual damages provided and pursuant to 15 USC §1692k(a)(1);
- B. For statutory damages provided and pursuant to 15 USC §1692k(2)(B);
- C. For attorneys' fees and costs provided and pursuant to 15 USC §1692k(a)(3);
- D. A declaration that the Defendant's practices violated the TCPA;
- F. For any such other and further relief, as well as further costs, expenses and disbursements of this action, as this Court may deem just and proper.

Dated: December 30, 2015

Respectfully submitted,



EDWARD B. GELLER, ESQ., (EG9763)  
EDWARD B. GELLER, ESQ., P.C.,  
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Attorney for the Plaintiff  
YEHOSHUA SCHLUSSBERG

To: Central Credit Services, LLC  
9550 Regency Square Boulevard, Suite 500  
Jacksonville, FL 32225

*(Via Prescribed Service)*

Clerk of the Court,  
United States District Court, District of New Jersey  
Clarkson S. Fisher Building & U.S. Courthouse  
402 East State Street Room 2020  
Trenton, New Jersey 08608

*(Via Electronic Court Filing)*